IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

MONDAY, THE 11TH JUNE 2007 / 21ST JYAISHTA 1929

WP(C).No. 6088 of 2007(Y)

PETITIONER:

N.SREEDHARAN, ADVOCATE, PUNALUR,
RESIDENT OF ROSE VILLA, NEAR SIVAN KOVIL,
PUNALUR, KOLLAM DISTRICT.

BY ADV. SRI.K.K.SATHISH
SRI.K.B.DAYAL

RESPONDENTS:

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1. THE KERALA STATE FINANCIAL ENTERPRISES LTD., REPRESENTED BY ITS MANAGING DIRECTOR, MUSEUM ROAD, THRISSUR.

2. THE MANAGER,
K.S.F.E. LTD. PUNALUR BRANCH, MUNCIPAL BUILDINGS,
PUNALUR.

3. THE DEPUTY COLLECTOR(RR),
MUSEUM ROAD, THRISSUR.

4. THE SPECIAL DEPUTY TAHSILDAR (RR),
K.S.F.E. LTD., KOLLAM 691 001.

BY ADV. SRI.M.L.SAJEEVAN, SC, KSFE LTD.
SRI.T.NAVEEN, SC, K.S.F.E. LTD.
ADV. SHRI.BASANT BALAJI, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 11/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C)No. 6088/2007

APPENDIX

PETITIONER'S EXHIBITS

P1 : COPY OF the DEMAND NOTICE DATED 06/06/2003 ISSUED BY THE 4TH RESPONDENT U/S/ 7 OF THE KERALA R.R.ACT TO THE PETITIONER.

P2 : COPY OF THE JUDGMENT OF THIS HON'BLE COURT IN W.P.(C)No. 19652/03 DATED 23/06/03.

P3 : COPY OF THE JUDGMENT OF THIS HON'BLE COURT IN W.P.(C)No. 36445/03 DATED 24/11/2003.

P4 : COPY OF THE CIRCULAR DATED 18/08/2006 ISSUED BY THE KSFE.

P5 : COPY OF THE CLARIFICATION ISSUED BY THE KSFE DATED 03/10/2006.

P6 : COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER TO THE 1ST RESPONDENT DATED 19/11/2006.

P7 : COPY OF THE JUDGMENT OF THIS HON'BLE COURT IN W.P.(C)No. 31386/06 DATED 30/11/2006.

P8 : COPY OF THE INTIMATION DATED 05/12/2006 ISSUED TO THE 4TH RESPONDENT.

P9 : COPY OF THE LETTER ISSUED BY THE 4TH RESPONDENT TO THE PETITIONER DATED 12/12/2006.

P10 : COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER TO THE 4TH RESPONDENT DATED 12/12/2006.

P11 : COPY OF THE OBJECTION SENT TO THE 1ST RESPONDENT BY THE PETITIONER DATED 12/12/2006.

P12 : COPY OF THE RECEIPT DATED 12/12/2006.

P13 : COPY OF THE RECEIPT DATED 12/12/2006.

P14 : COPY OF THE JUDGMENT IN O.P.No. 33218/2002 OF THIS HON'BLE COURT DATED 09/09/2005.

P15 : COPY OF THE LETTER DATED 27/06/2003 ISSUED BY THE 2ND RESPONDENT.

// TRUE COPY //

PA TO JUDGE

jg

C.N.RAMACHANDRAN NAIR, J.

WP(C) No. 6088 of 2007

Dated, this the 11th day of June, 2007

J U D G M E N T

This Court vide Ext.P7 judgment granted time to settle liability by 15/12/2006 without any collection charges. It is conceded by the respondents that petitioner has made payment within the time specified. Collection charges should not be recovered from the petitioner, more so when no effective steps were taken for recovering arrears. In the circumstances, WP(C) is allowed directing respondents not to recover any collection charges from the petitioner if he has made the payment within the time stipulated excluding collection charges and if so, title deed should be released to the petitioner immediately on production of a copy of this judgment.

(C.N.RAMACHANDRAN NAIR, JUDGE.)

jg